

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHERYLN KNIGHT,

Plaintiff,

Case No: 14-12411

Hon. Victoria A. Roberts

vs

S.A.M. CONTROLS, LLC, ET AL,

Defendants.

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ORDER

Plaintiff file a Motion for Leave to File First Amended Complaint to Add Parties [doc # 26]. Rule 15(a) of the Federal Rules of Civil Procedure requires courts to freely give permission to amend “when justice so requires.” Some of the “justice” considerations are whether there has been undue delay or bad faith. Courts must also consider whether the opposing party will be prejudiced or whether the amendment would be futile. *Foman v. Davis*, 371 U.S. 178, 182, 83 S. Ct. 227, 230, 9 L. Ed. 2d 222 (1962).

Plaintiff says she made numerous attempts to depose the defendant Paul Mazzetti, Sr. before the eve of the close of discovery, when he disclosed information revealing the reason for the proposed amendment. Plaintiff says she then filed her motion to amend within two weeks of that deposition. Remaining defendant Mazzetti does not dispute this. (The Court administratively closed the case against S.A.M. Controls, LLC because of a bankruptcy stay (doc #18); Shari Mazzetti was dismissed [doc # 27]). Nor does defendant Mazzetti reveal how he would be prejudiced by an

amendment, or how amendment would be futile; Plaintiff credibly alleges a joint employer relationship between Hydro-Logic Inc. and S.A.M. Controls, LLC worthy of exploring in this Title VII case.

The Court finds Plaintiff has not unduly delayed, and Defendants have failed to show prejudice or futility. Plaintiff's Motion is GRANTED. Plaintiff must immediately file the amended pleading and serve Hydro-Logic Inc.

IT IS ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: July 28, 2015

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on July 28, 2015.

S/Carol A. Pinegar
Deputy Clerk